



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

September 30, 2022

BY ECF and Email

Honorable John P. Cronan
United States District Judge
Southern District of New York
500 Pearl Street, Room 1320
New York, New York 10007

Re: *United States v. Eliot Bacolas*, 21 Cr. 242 (JPC)

Dear Judge Cronan:

The Government submits this letter in advance of the October 3, 2022 conference in the above-captioned matter. On August 16, 2022, defense counsel transmitted a mitigation submission for consideration by the Government. The Government recently received agency input and will not be in a position to render a decision on mitigation prior to October 3, 2022. Accordingly, the parties respectfully request a 30 to 45-day adjournment to allow (i) the Government to consider the submission and reach a final decision; and (ii) the parties to finalize discussions regarding a pre-trial resolution. Should the Court grant this request, we further request that time be excluded under the Speedy Trial Act from September 30, 2022 until the date of the next-scheduled conference. The Government respectfully submits that the proposed exclusion would be in the interest of justice. This is the Government's second request for an adjournment while considering mitigation submissions. Defense counsel has no objection to the exclusion of time.

The Court adjourns the status conference scheduled for October 3, 2022 until November 9, 2022 at 10:00 a.m. in Courtroom 12D of 500 Pearl Street, New York, NY 10007. The Court also grants the Government's request to exclude time under the Speedy Trial Act between September 30, 2022 and November 9, 2022. The Court finds that, pursuant to 18 U.S.C. 3161(h)(7)(A), the ends of justice served by excluding time until November 9, 2022 outweigh the interests of the public and the defendant in a speedy trial, by allowing time for the Government to consider mitigating materials and for the parties to discuss a pre-trial resolution.

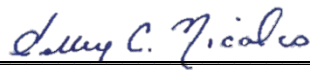
SO ORDERED.

Date: September 30, 2022
New York, New York


JOHN P. CRONAN
United States District Judge

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

by: 
Ashley C. Nicolas
Assistant United States Attorney

cc: Peter Katz, Esq. (by email)